

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 FIRST AMERICAN TITLE )  
12 INSURANCE COMPANY; NORTH )  
13 AMERICAN TITLE INSURANCE )  
14 COMPANY; JOHN S. )  
15 MOREIKO; ROBERT ERIC )  
16 KALTER; MARC MESHEKOW; )  
17 AND NORTH BEVERLY )  
18 DEVELOPMENT INC., )  
19 Plaintiff, )

Case No. EDCV 12-01604 VAP  
(DTBx)

**AMENDED JUDGMENT**

[Original Complaint filed  
September 20, 2012]

V.

17 REPUBLIC MONETARY  
18 EXCHANGE, LLC; LOAN  
19 SOLUTION INC.; AND  
COLLEEN BIGLER,

Defendants.

22 WHEREAS, the legal claims in this action came on  
23 regularly for a jury trial commencing on December 3, 2013  
24 in Courtroom Two of the above-entitled Court, the  
25 Honorable Virginia A. Phillips presiding. William D.  
26 Coffee and Christopher E. Deal of Songstad Randall Coffee  
27 & Humphrey LLP appeared on behalf of plaintiffs FIRST  
28 AMERICAN TITLE INSURANCE COMPANY; NORTH AMERICAN TITLE

1 INSURANCE COMPANY; JOHN MOREIKO; ROBERT ERIC KALTER; MARC  
2 MESHEKOW; and NORTH BEVERLY DEVELOPMENT, INC.  
3 (collectively "Plaintiffs"). Gary Brown appeared on  
4 behalf of defendants COLLEEN BIGLER and LOAN SOLUTION,  
5 INC. Thomas Weiss and John J. Jakubczyk appeared on  
6 behalf of defendant REPUBLIC MONETARY EXCHANGE, LLC.  
7

8 WHEREAS, pursuant to the Special Verdicts of the jury  
9 filed in this action on December 12, 2013, a true and  
10 correct copy of which is attached hereto as Exhibit "A"  
11 and incorporated herein by reference, the jury determined  
12 each cause of action submitted to them as follows:  
13

14 1. On the cause of action of plaintiffs Marc Meshekow  
15 and North Beverly Development, Inc. for negligence  
16 against defendants Colleen Bigler and Loan Solution,  
17 Inc., the jury found in favor of plaintiffs March  
18 Meshekow and North Beverly Development, Inc. and against  
19 defendants Colleen Bigler and Loan Solution, Inc. and  
20 awarded plaintiff Marc Meshekow damages of One Hundred  
21 Thirty Thousand Two Hundred Fifty Dollars (\$130,250) and  
22 plaintiff North Beverly Development, Inc. damages of One  
23 Hundred Thirty Thousand Two Hundred Fifty Dollars  
24 (\$130,250);  
25

26 2. On the cause of action of plaintiffs Marc Meshekow  
27 and North Beverly Development, Inc. for breach of  
28

1 fiduciary duty against defendants Colleen Bigler and Loan  
2 Solution, Inc., the jury found in favor of plaintiffs  
3 March Meshekow and North Beverly Development, Inc. and  
4 against defendants Colleen Bigler and Loan Solution, Inc.  
5 and awarded plaintiff Marc Meshekow damages of One  
6 Hundred Thirty Thousand Two Hundred Fifty Dollars  
7 (\$130,250) and plaintiff North Beverly Development, Inc.  
8 damages of One Hundred Thirty Thousand Two Hundred Fifty  
9 Dollars (\$130,250);

10

11 3. On the cause of action for conversion by plaintiff  
12 First American Title Insurance Company against defendant  
13 Republic Monetary Exchange, LLC, the jury found in favor  
14 of plaintiff First American Title Insurance Company and  
15 awarded plaintiff First American Title Insurance Company  
16 damages of Two Hundred Fifty-Seven Thousand Eighty-Six  
17 dollars (\$257,086);

18

19 4. On the cause of action of plaintiff North American  
20 Title Insurance Company for conversion against defendant  
21 Republic Monetary Exchange, LLC, the jury found in favor  
22 of plaintiff North American Title Insurance Company and  
23 awarded plaintiff North American Title Insurance Company  
24 damages of Two Hundred Twenty-Nine Thousand Eight Hundred  
25 Ten Dollars (\$229,810);

26

27

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1       5. On the cause of action of plaintiff John S. Moreko  
2 for conversion against defendant Republic Monetary  
3 Exchange, LLC, the jury found in favor of plaintiff John  
4 S. Moreko and awarded plaintiff John S. Moreko damages of  
5 One Hundred Fifty-One Thousand Ninety-Two Dollars and  
6 Fifty Cents (\$151,092.50);

7

8       6. On the cause of action of plaintiff Robert Eric  
9 Kalter for conversion against defendant Republic Monetary  
10 Exchange, LLC, the jury found in favor of plaintiff  
11 Robert Eric Kalter and awarded plaintiff Robert Eric  
12 Kalter damages of One Hundred Fifty-One Thousand  
13 Ninety-Two Dollars and Fifty Cents (\$151,092.50);

14

15       7. On the cause of action of plaintiff Marc Meshekow  
16 for conversion against defendant Republic Monetary  
17 Exchange, LLC, the jury found in favor of defendant  
18 Republic Monetary Exchange, LLC.

19

20       8. On the cause of action of plaintiff North Beverly  
21 Development, Inc. for conversion against defendant  
22 Republic Monetary Exchange, LLC, the jury found in favor  
23 of plaintiff North Beverly Development, Inc. and awarded  
24 plaintiff North Beverly Development, Inc. damages of Two  
25 Hundred Sixty Thousand Dollars (\$260,000).

26

27

28

1           WHEREAS, the equitable issue of the right of  
2 subrogation was tried to the Court on December 12, 2013,  
3 and on January 17, 2014, the Court issued a Decision  
4 After Court Trial on Equitable Issues determining as  
5 follows:

6  
7           1. Plaintiff First American Title Insurance Company  
8 is entitled to assert its equitable right of subrogation;

9  
10           2. Plaintiff North American Title Insurance Company  
11 is entitled to assert its equitable right of subrogation.

12  
13           WHEREFORE, pursuant to the Special Verdicts of the  
14 jury and the Court's Decision After Court Trial on  
15 Equitable Issues, the Court hereby enters Judgment as  
16 follows:

17  
18           1. Plaintiff Marc Meshekow is awarded damages against  
19 defendants Loan Solution, Inc. and Colleen Bigler jointly  
20 and severally in the amount of One Hundred Thirty  
21 Thousand Two Hundred Fifty Dollars (\$130,250);

22  
23           2. Plaintiff North Beverly Development, Inc. is  
24 awarded damages against defendants Loan Solution, Inc.  
25 and Colleen Bigler jointly and severally in the amount of  
26 One Hundred Thirty thousand Two Hundred Fifty Dollars  
27 (\$130,250);

1       3. Plaintiff First American Title Insurance Company  
2 is awarded damages against defendant Republic Monetary  
3 Exchange, LLC in the amount of Two Hundred Fifty-Seven  
4 Thousand Eight-Six Dollars (\$257,086);  
5

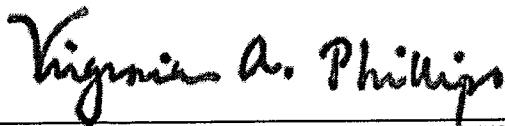
6       4. Plaintiff North American Title Insurance Company  
7 is awarded damages against defendant Republic Monetary  
8 Exchange, LLC in the amount of Two Hundred Twenty-Nine  
9 Thousand Eight Hundred Ten Dollars (\$229,810);  
10

11       5. Plaintiff John S. Moriko is awarded damages  
12 against defendant Republic Monetary Exchange, LLC in the  
13 amount of One Hundred Fifty-One Thousand Ninety-Two  
14 Dollars and Fifty Cents (\$151,092.50);  
15

16       6. Plaintiff Robert Eric Kalter is awarded damages  
17 against defendant Republic Monetary Exchange, LLC in the  
18 amount of One Hundred Fifty-One Thousand Ninety-Two  
19 Dollars and Fifty Cents (\$151,092.50);  
20

21       7. Plaintiff North Beverly Development, Inc. is  
22 awarded damages against defendant Republic Monetary  
23 Exchange, LLC in the amount of Two Hundred Sixty Thousand  
24 Dollars (\$260,000).  
25

26       Dated: January 17, 2014  
27

  
\_\_\_\_\_  
VIRGINIA A. PHILLIPS  
United States District Judge  
28

# EXHIBIT A

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**UNITED STATES DISTRICT COURT OF CALIFORNIA  
CENTRAL DISTRICT**

RANDY HORN D.D.S., INC. PROFIT SHARING PLAN, a California Corporation; RANDY HORN AND ROBIN L. HORN, TRUSTEES OF THE HORN FAMILY TRUST DATED FEBRUARY 9, 1998; DAVID KIRTON, an individual; JOHN S. MOREIKO, an individual; ROBERT ERIC KALTER, an individual; MARC MESHEKOW, an individual; NORTH BEVERLY DEVELOPMENT, INC., a California Corporation,

Plaintiffs,

V.

HIGH POINT SERVICES, INC., a California corporation; CONNIE WEINSTEIN, an individual; LINDA HONG, an individual; ANGEL ARMAS, an individual; SANDRA ABREU aka SANDRA XATRUCH, an individual; et al.

## Defendants.

**WHEREAS**, this action came on regularly for a jury trial commencing on December 3, 2013 in Department 2 of the above-entitled Court, the Honorable Virginia A. Phillips presiding. William D. Coffee and Christopher E. Deal of Songstad Randall Coffee & Humphrey LLP appeared on behalf of plaintiffs FIRST

1

### [Proposed] Judgment on Special Verdict

1       AMERICAN TITLE INSURANCE COMPANY; NORTH AMERICAN TITLE  
 2       INSURANCE COMPANY; JOHN MOREIKO; ROBERT ERIC KALTER; MARC  
 3       MESHEKOW; and NORTH BEVERLY DEVELOPMENT, INC. (collectively  
 4       “Plaintiffs”). Gary Brown appeared on behalf of defendants COLLEEN BIGLER and  
 5       LOAN SOLUTION, INC. Thomas Weiss and John J. Jakubczyk appeared on behalf  
 6       of defendant REPUBLIC MONETARY EXCHANGE, LLC

7       **WHEREAS**, pursuant to the Special Verdict of the jury filed in this action on  
 8       December 12, 2013, a true and correct copy of which is attached hereto as **Exhibit**  
 9       **“A”** and incorporated herein by reference, the jury determined each cause of action  
 10      submitted to them as follows:

11       1.       On the cause of action of plaintiffs Marc Meshekow and North  
 12      Beverly Development, Inc. for negligence against defendants Colleen Bigler and Loan  
 13      Solution, Inc., the jury found in favor of plaintiffs March Meshekow and North  
 14      Beverly Development, Inc. and against defendants Colleen Bigler and Loan Solution,  
 15      Inc. and awarded plaintiff Marc Meshekow damages of One Hundred Thirty  
 16      Thousand Two Hundred Fifty Dollars (\$130,250) and plaintiff North Beverly  
 17      Development, Inc. damages of One Hundred Thirty Thousand Two Hundred Fifty  
 18      Dollars (\$130,250);

19       2.       On the cause of action of plaintiffs Marc Meshekow and North  
 20      Beverly Development, Inc. for breach of fiduciary duty against defendants Colleen  
 21      Bigler and Loan Solution, Inc., the jury found in favor of plaintiffs March Meshekow  
 22      and North Beverly Development, Inc. and against defendants Colleen Bigler and Loan  
 23      Solution, Inc. and awarded plaintiff Marc Meshekow damages of One Hundred Thirty  
 24      Thousand Two Hundred Fifty Dollars (\$130,250) and plaintiff North Beverly  
 25      Development, Inc. damages of One Hundred Thirty Thousand Two Hundred Fifty  
 26      Dollars (\$130,250);

27       3.       On the cause of action for conversion by plaintiff First American  
 28      Title Insurance Company against defendant Republic Monetary Exchange, LLC, the

LAW OFFICES OF  
 SONGSTAD RANDALL COFFEE & HUMPHREY LLP  
 2201 DUPONT DRIVE, SUITE 100  
 IRVINE, CALIFORNIA 92612  
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 FACSIMILE (949) 757-1613

1 jury found in favor of plaintiff First American Title Insurance Company and awarded  
2 plaintiff First American Title Insurance Company damages of Two Hundred Fifty-  
3 Seven Thousand Eighty-Six dollars (\$257,086);

4 4. On the cause of action of plaintiff North American Title Insurance  
5 Company for conversion against defendant Republic Monetary Exchange, LLC, the  
6 jury found in favor of plaintiff North American Title Insurance Company and awarded  
7 plaintiff North American Title Insurance Company damages of Two Hundred Twenty-  
8 Nine Thousand Eight Hundred Ten Dollars (\$229,810);

9 5. On the cause of action of plaintiff John S. Moreko for conversion  
10 against defendant Republic Monetary Exchange, LLC, the jury found in favor of  
11 plaintiff John S. Moreko and awarded plaintiff John S. Moreko damages of One  
12 Hundred Fifty-One Thousand Ninety-Two Dollars and Fifty Cents (\$151,092.50);

13 6. On the cause of action of plaintiff Robert Eric Kalter for conversion  
14 against defendant Republic Monetary Exchange, LLC, the jury found in  
15 favor of plaintiff Robert Eric Kalter and awarded plaintiff Robert Eric Kalter damages  
16 of One Hundred Fifty-One Thousand Ninety-Two Dollars and Fifty Cents  
17 (\$151,092.50);

18 7. On the cause of action of plaintiff Marc Meshekow for conversion  
19 against defendant Republic Monetary Exchange, LLC, the jury found in favor of  
20 defendant Republic Monetary Exchange, LLC.

21 8. On the cause of action of plaintiff North Beverly Development,  
22 Inc. for conversion against defendant Republic Monetary Exchange, LLC, the jury  
23 found in favor of plaintiff North Beverly Development, Inc. and awarded plaintiff  
24 North Beverly Development, Inc. damages of Two Hundred Sixty Thousand Dollars  
25 (\$260,000).

26 **WHEREFORE**, pursuant to the Special Verdict of the jury, the Court hereby  
27 enters Judgment as follows:

28 1. Plaintiff Marc Meshekow is awarded damages against defendants

1      Loan Solution, Inc. and Colleen Bigler jointly and severally in the amount of One  
2      Hundred Thirty Thousand Two Hundred Fifty Dollars (\$130,250);

3                   2. Plaintiff North Beverly Development, Inc. is awarded damages  
4 against defendants Loan Solution, Inc. and Colleen Bigler jointly and severally in the  
5 amount of One Hundred Thirty thousand Two Hundred Fifty Dollars (\$130,250);

6                   3. Plaintiff First American Title Insurance Company is awarded  
7 damages against defendant Republic Monetary Exchange, LLC in the amount of Two  
8 Hundred Fifty-Seven Thousand Eight-Six Dollars (\$257,086);

9           4. Plaintiff North American Title Insurance Company is awarded  
10 damages against defendant Republic Monetary Exchange, LLC in the amount of Two  
11 Hundred Twenty-Nine Thousand Eight Hundred Ten Dollars (\$229,810);

12       5. Plaintiff John S. Moriko is awarded damages against defendant  
13 Republic Monetary Exchange, LLC in the amount of One Hundred Fifty-One  
14 Thousand Ninety-Two Dollars and Fifty Cents (\$151,092.50);

15                   6. Plaintiff Robert Eric Kalter is awarded damages against defendant  
16 Republic Monetary Exchange, LLC in the amount of One Hundred Fifty-One  
17 Thousand Ninety-Two Dollars and Fifty Cents (\$151,092.50);

18       7. Plaintiff North Beverly Development, Inc. is awarded damages  
19 against defendant Republic Monetary Exchange, LLC in the amount of Two Hundred  
20 Sixty Thousand Dollars (\$260,000).

## IT IS SO ORDERED

Virginia A. Phillips

24 Dated: December 23, 2013

UNITED STATES DISTRICT JUDGE